

REMARKS

Claim Changes

Claims 1, 7, 15, 20, and 26 are amended. Particularly, claims 1, 7, 15, 20, and 26 are amended to incorporate the subject matter of claim 32; claim 32 has been cancelled. These changes are based at least on the description in paragraph 0039, of the specification as filed. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of Claims 1, 3, 4, 7-10, 15-18, and 26-29 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1, 3, 4, 7-10, 15-18, and 26-29 under 35 U.S.C. § 103(a) as being unpatentable over Altman in view of Hayes as herein amended.

Applicant respectfully submits that the combination of Altman, Hayes, and Kessler does not teach or suggest all the claim limitations as set forth in independent claims 1, 7, 15, 20, and 26, as amended. For example, independent claim 1 recites (emphasis added) “wherein the source device determines a closed captioning format supported by said display device” which is not taught or suggested in the combination of Altman and Hayes. Independent claims 7, 15, 20, and 26 recite similar subject matter.

The Office Action on pages 17 and 18 asserts: “Regarding claim 32, Altmann and Hayes disclose the method of claim 3; moreover, Altmann discloses determining if a display device supports closed caption. However, it is noted that Altmann and Hayes fail to explicitly disclose determining a closed caption type. Nevertheless, in a similar field of endeavor Kessler discloses determining a closed caption type (Col. 6 lines 40-45; EIA-608 and EIA-708 closed captioning standards).”

Applicant respectfully submits, however, that Kessler merely describes that the translation of the CC data into CC commands and caption is in accordance of the EIA-608 and EIA-708 standards. Kessler in col. 6, lines 40-45 states “[t]he CC decoder module translates the CC data into CC commands and caption. The translation method is specified in the EIA-608 and EIA-708 standards. The CC decoder module provides the CC commands and caption to CC renderer 57.” Moreover, Kessler’s Fig. 4 clearly illustrates that the CC decoder module 55 is part of the closed caption decoder, and not a source device. In contrast, independent claim 1, as amended, recites (emphasis added) “wherein the source device determines a closed captioning format supported by said display device” as recited by independent claim 1, as amended. Independent claims 7, 15, 20, and 26 recite similar subject matter. Moreover, as admitted by the examiner on pages 17 and 18 of the Office Action, the combination of Hayes and Altman also fails to remedy the acknowledged deficiency of Kessler. Since the combination of Altman, Hayes, and Kessler fails to disclose Applicant’s claimed invention as claimed in independent

claims 1, 7, 15, 20, and 26, Applicant respectfully requests withdrawal of the rejection of claims 1, 7, 15, 20, and 26 under 35 U.S.C. § 103(a). Applicant requests that claims 1, 7, 15, 20, and 26 now be passed to allowance.

Dependent claims 3, 4, 8-10, 16-18, and 27-29 depend from, and include all the limitations of independent claims 1, 7, 15, 20, and 26. Therefore, Applicant respectfully requests the reconsideration of dependent claims 3, 4, 8-10, 16-18, and 27-29 and requests withdrawal of the rejection.

Rejection of Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of US 2002/0186320 (Carlsgaard)

Dependent claim 6 depends from, and includes all the limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 6 and requests withdrawal of the rejection.

Rejection of Claims 11, 19, and 30 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of “HDMI 0.9 Released”, 30th June 2002 (UltimateAVmag.com)

Dependent claims 11, 19, and 30 depend from, and include all the limitations of independent claims 7, 15, and 26. Therefore, Applicant respectfully requests the reconsideration of dependent claims 11, 19, and 30 and requests withdrawal of the rejection.

Rejection of Claims 12, 13, 14, 20, 21, 22, and 23 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in view of US 7023858 (Ozawa)

As explained above, the combination of Altman, Hayes, Kessler fails to describe or suggest “wherein the source device *determines a closed captioning format supported by said display device*” as recited by independent claim 20. Moreover, Ozawa fails to remedy the acknowledged deficiency of Altman, Hayes, Kessler. Since the combination of Altman, Hayes, Kessler, and Ozawa fails to disclose Applicant’s claimed invention as claimed in independent claim 20, Applicant respectfully requests withdrawal of the rejection of claim 20 under 35 U.S.C. § 103(a). Applicant requests that claim 20 now be passed to allowance.

Dependent claims 12, 13, 14, 21, 22, and 23 depend from, and include all the limitations of independent claims 7, 15, and 20. Therefore, Applicant respectfully requests the reconsideration of dependent claims 12, 13, 14, 21, 22, and 23 and requests withdrawal of the rejection.

Rejection of Claim 31 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of US 2004/0080482 (Magendanz)

Dependent claim 31 depends from, and includes all the limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 31 and requests withdrawal of the rejection.

Rejection of Claim 32 under 35 U.S.C. § 103(a) as being unpatentable over US 6,636,749 (Altman) in view of US 6938101 (Hayes) in further view of 6373526 (Kessler)

Dependent claim 32 has been cancelled.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's undersigned representative at the telephone number indicated below.

Respectfully submitted,
CHRISTOPHER J. STONE, et al.

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MOTOROLA, INC.
101 Tournament Drive
Horsham, PA 19044
Telephone: (215) 323-1811
Fax: (215) 323-1300

BY: /Stewart M. Wiener/
Stewart M. Wiener
Registration No. 46,201
Attorney for Applicant